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PTO-1390 (Rev. 07-2005)

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 801948-0005
INTERNATIONAL APPLICATION NO. PCT/AU2004/000962		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/564876
INTERNATIONAL FILING DATE 16 July 2004		PRIORITY DATE CLAIMED 17 July 2003
TITLE OF INVENTION BACTERIAL TREATMENT		
APPLICANT(S) FOR DO/EO/US Terence Harden, Steven Simpfendorfer, Heather Cavanagh, Leath Sheales		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<div style="display: flex; flex-direction: column;"><div>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</div><div>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</div><div>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</div><div>4. <input type="checkbox"/> The US has been elected (Article 31).</div><div>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<div style="margin-left: 20px;"><div>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</div><div>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</div><div>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</div></div></div><div>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<div style="margin-left: 20px;"><div>a. <input type="checkbox"/> is attached hereto.</div><div>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</div></div></div><div>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<div style="margin-left: 20px;"><div>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</div><div>b. <input type="checkbox"/> have been communicated by the International Bureau.</div><div>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</div><div>d. <input checked="" type="checkbox"/> have not been made and will not be made.</div></div></div><div>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div><div>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div><div>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</div></div>		
Items 11 to 20 below concern document(s) or information included:		
<div style="display: flex; flex-direction: column;"><div>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</div><div>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div><div>13. <input checked="" type="checkbox"/> A preliminary amendment.</div><div>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</div><div>15. <input type="checkbox"/> A substitute specification.</div><div>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</div><div>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</div><div>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</div><div>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</div></div>		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold;">10/564876</div>		INTERNATIONAL APPLICATION NO. PCT/AU2004/000962		ATTORNEY'S DOCKET NUMBER 801948-0005	
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20. Other items or information: **Itemized return postcard; cheques**

The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/>	Basic national fee (37 CFR 1.492(a)).....	\$300	\$ 300	
22.	<input checked="" type="checkbox"/>	Examination fee (37 CFR 1.492(c))		\$ 200	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....					
All other situations.....					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....					
All other situations.....					
TOTAL OF 21, 22 and 23 =				\$900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
55 - 100 =	/50 =		x \$250	\$ 0	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	3 - 20 =	0	x \$ 50	\$	
Independent claims	2 - 3 =	0	x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 0	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 450	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 450	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40	
TOTAL FEES ENCLOSED =				\$ 490	
				Amount to be refunded:	\$
				Amount to be charged	\$

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- a. ☒ Checks in the amount of \$ 450.00 and 40.00 to cover the above fees are enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4409. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

- ☒ **Customer Number: 27910**
Stinson Morrison Hecker LLP
1201 Walnut, Suite 2900
Kansas City, Missouri 64106-2150
- ☒ **Telephone inquiries should be directed to:**
Susan Wharton Bell, Telephone: (816) 842-8600

Susan W. Bell

SIGNATURE

Susan Wharton Bell

NAME

41,524

REGISTRATION NUMBER